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September 27, 2007

Senator Jeffrey Plale et.al.
Chairperson, Committee on Commerce, Utilities and Rail
Wisconsin State Senate
State Capitol Building

Dear Senator Plale and Committee members,

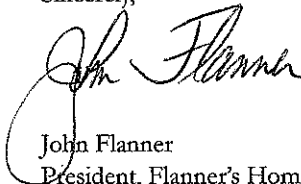
I am John Flanner, president of Flanner's Home Entertainment; a family owned and operated retail business in the Milwaukee area for 116 years. My company employs over 80 people and we sell and install home and commercial audio video systems.

I am here today to strongly urge you to adopt the amendment to Senate Bill 167 which would raise the power threshold requiring involvement of a licensed electrician for systems operating at 100 volts or more. To leave it at 50 volts as written in the original draft would be a very unnecessary intrusion into state commerce and only serve to raise building costs within the state of Wisconsin.

The United States Department of Labor has recognized our trade, the Electronics Systems Technician, as a distinct trade and the work we do is clearly differentiated from that done by licensed electricians. We are well schooled in what we do and passionate about the quality we provide. I assure you that the lower 50-volt requirement would solve no existing problem, not address any safety issue or ensure higher quality work than is currently being done.

I think we all agree that the rightful function of legislative oversight, absent a public safety issue or societal concern, is to ensure the wheels of commerce are allowed to spin freely, enabling efficiencies and innovation to flourish. The 100 volt threshold, as amended, is the proper one to legislate and would correct what I think was an unintended consequence from the original writing. I urge you to pass the amendment and thank you for holding this public hearing.

Sincerely,



John Flanner
President, Flanner's Home Entertainment





A1 Ott

State Representative • 3rd Assembly District

Senate Bill 167
Licensing of Electricians and Electrical Contractors
Senate Committee on Commerce, Utilities & Rail
September 27, 2007

Thank you for the opportunity to testify on behalf of Senate Bill 167 (SB 167), which would require electricians and electrical contractors to be licensed by the State of Wisconsin.

Unlike barbers, plumbers, accountants, real estate agents, dentists, and numerous other professionals, electricians need not be licensed by the state in order to provide their services in Wisconsin. While the general public would assume electricians are licensed, there is nothing in state law to require it. Thirty-four other states, including Minnesota and Michigan, currently have licensing requirements for electricians.

Current law provides for a voluntary certification program for electricians and electrical contractors. This program is administered by the Department of Commerce. In addition, some municipalities require electricians and/or electrical contractors to be licensed in order to work in that municipality, creating an inconsistent patchwork of regulatory standards around the state. It is more common to find these local licensing requirements in cities than in rural areas.

SB 167 requires all electricians and electrical contractors working in Wisconsin to be licensed by the Department of Commerce. The licensing structure in this proposal is similar to that currently in place for plumbers.

The primary goal of this legislative initiative is improved electrical safety, particularly in rural areas of the state. Furthermore, we aim to provide consumers with the assurance that those who are billing themselves as electricians and electrical contractors actually have the training, skills, and knowledge necessary to perform this type of work correctly and in accordance with code.

SB 167 creates a licensing mechanism for electrical contractors, journeymen electricians (residential and non-residential), and master electricians. It also creates a mechanism for registration and supervision of beginning electricians. Further, it establishes standards for the inspection of all electrical wiring and requires that electrical inspectors be certified by the Department of Commerce.

In order to be licensed as an electrician under the bill, a person must either complete an apprenticeship program or have a minimum amount of experience in installing, repairing, and maintaining electrical wiring, and pass an examination administered by the Department of Commerce. Passage of the exam is required in order to demonstrate a basic skill and competency level.

The Building and Safety Division of the Department of Commerce will oversee the examining and licensing program. Much like the licensing program for plumbers, costs of the program will be fee-based and should not require additional state funds.

The bill calls for a five-year delayed effective date on the full implementation of the licensing requirement. This is to both allow sufficient time for the rule making process, and to provide those who are currently electricians or electrical contractors with adequate time to become licensed.

Once fully implemented, this proposal will provide statewide uniformity in licensing by no longer allowing local units of government to impose their own registration, licensing or certification requirements on electricians, electrical contractors, or electrical inspectors. Wisconsin's electricians and electrical contractors would benefit from uniform licensing standards by being able to work in any area of the state without having to navigate a confusing patchwork of local licensing standards. In addition, the bill creates the conditions necessary for reciprocity with neighboring states, allowing electricians and electrical contractors to work across state lines (i.e. Minnesota).

SB 167 includes a number of specific exemptions from the licensing requirement. These exemptions are intended for those who do not work exclusively with electric wiring or who are already regulated, including: property owners doing electrical work in their own homes or buildings; work on systems that operate at 100 volts or less; elevator, escalator or security systems; and utility workers while performing utility work.

This bill also calls for the Department of Commerce to promulgate, by rule, a state electrical wiring code that establishes standards for installing, repairing, and maintaining electrical wiring. This code is to reflect nationally recognized standards. Locally enacted electrical wiring codes may not be less restrictive than the code created by the Department of Commerce. SB 167 does not preempt local electrical code ordinances.

Senate Amendment 1, introduced by Senator Decker, primarily makes technical changes to the bill in order to address concerns that were raised after the bill was introduced. Briefly:

- **Sections 1, 2, 9, 10 and 11** provide clarification for the utilities and electrical cooperatives as to who is (or is not) covered by the requirements of the bill as it relates to work conducted by utilities.
- **Sections 7 and 8** address concerns expressed by the alarm and audio/visual equipment industries. Section 7 corrects a drafting error, and Section 8 increases the voltage exemption from 50 volts to 100 volts.
- Finally, **Sections 3, 4, 5, 6 and 12** clean up language relative to local licensing authority. As we were reviewing the bill, the drafter noted that it needed some improvements for clarity in this area.

SB 167 is the result of significant collaboration by a number of interested stakeholders. Both the bill and the amendment reflect years of hard work, intense discussion, and ultimately, consensus, which brings us to this hearing today. This legislation has been drafted with the input and assistance of contractors, labor, utilities, electric cooperatives, the Department of Commerce, and others who are interested in improving the safety and quality of electrical wiring in Wisconsin.

As chair of the Assembly Committee on Agriculture, I view this initiative as a positive one for rural Wisconsin and our dairy industry as we continue to try to reduce the impact of stray voltage on our dairy herds. Stray voltage can have animal health implications and negatively impact milk production.

According to Mark Cook of the Public Service Commission, nearly \$1.4 billion has been spent by utilities to improve the distribution system and reduce stray voltage on our farms. This has resulted in a 79% reduction in stray voltage since 1988. He believes, and I agree, that now is the time to address the secondary side – the farmer/customer side – of the equation to make further improvements.

According to a 2005 Wisconsin Agricultural Statistics Service survey, the wiring in over half of Wisconsin barns is 20 years old, or older. The majority of farm wiring repairs are made by local electricians or the farmers themselves. Proper wiring of agricultural facilities – which are tough environments for wiring due to dust, moisture, and other less than ideal conditions – is critical for keeping our dairy animals healthy and productive.

SB 167's licensing requirement, along with increased electrical inspection for commercial and agricultural projects, should improve the quality and safety of electrical wiring in rural areas of the state and further reduce the occurrence of stray voltage on our farms.

Thank you again for the opportunity to testify on SB 167.



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**Testimony of Chris McCanles, Company President, regarding Wisconsin Senate Bill #167 for
the Committee on Commerce, Utilities & Rail
September 27, 2007**

Thank you for allowing me to provide testimony on behalf of my company, Terra Nova Integrated Systems, Inc., in regards to Senate Bill #167, involving the regulation of electrical workers, contractors and inspectors. I am particularly concerned with Senate Amendment #1 to this bill, in which the exemption would be raised from 50 volts to 100 volts. I strongly support this change as it would protect my business and industry at large, and would allow both to work on behalf of the public in the same manner as it has for many, many years.

Terra Nova Integrated Systems, Inc. is a design/build contractor of custom electronic systems for the residential and commercial markets, specifically in the areas of audio/video, security, communications, and automation systems. We were founded in 1997, employ 23 people and are based in Waukesha, WI. Our clients include many private homeowners and public companies and entities, such as Harley-Davidson Motor Co., Marquette University, Time Warner Cable, and Children's Hospital of Wisconsin. Our work involves the use of electronic circuits up to 100 volts in a wide variety of situations. If Amendment #1 was to fail and this bill is passed unchanged, our business would need to change drastically, becoming an electrical contractor and re-training and licensing all of our employees working in the field. Additionally, the cost and amount of wiring and wire management materials used to build and install our systems would now greatly increase. Both of these changes would result in significant costs to our business which in turn would have to be passed on to our customers, some of which are government or non-profit entities that regularly struggle to afford the investment and maintenance costs required to have the technologies we provide.

It is important to note that the U.S. Department of Labor has recognized a distinction between the work of electrical workers and contractors and that of workers and companies like Terra Nova:

ELECTRONIC SYSTEMS TECHNICIAN

The U.S. Department of Labor has recognized Electronic Systems Technicians as a separate and distinct profession as part of the 21st Century Workforce Initiative.

***Occupational Title: ELECTRONIC SYSTEMS TECHNICIAN
DOT Code: 823.261-901
ONET Code: 49-2022.03***

Description:

An Electronic Systems Technician is an individual whose primary occupation is the design and/or integration, installation and field maintenance/service of:

- *cabling infrastructure and products that transport low voltage (less than 100 volts) voice, video, audio and data signals in a commercial or residential premises;*
- *products that capture and display or otherwise annunciate signals;*
- *products that control signals; and*
- *products that use signals to control mechanical and electrical apparatus.*

This Amendment would return the officially recognized demarcation between the work of electrical workers and Electronic Systems Technician to its traditional level of 100 Volts and would allow business and consumers to proceed with their relationship unimpeded as it has successfully done without harm to the public for many years.



IBEW LOCAL UNION 2150
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DANIEL E. SHERMAN
Business Manager

September 25, 2007

Forrest Ceel
President/Business Rep.
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Utility Workers Support Electrical Safety

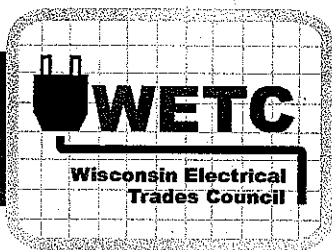
Local Union 2150 of the International Brotherhood of Electrical Workers is calling on the State Legislature to complete the pathway for electrical safety in Wisconsin. While Local 2150 is the largest electrical worker union in Wisconsin, our labor organization does not represent anyone who would be licensed as a result of this very important safety legislation. Our members provide power to the state's residents at the generation phase of the process (coal, natural gas, nuclear, hydro, and wind power), the transmission system that moves power to where it is needed throughout the state, and the local distribution level to your neighborhoods, farms, and businesses.

Our 4,500 members mostly work in regulated environments governed by such agencies as the Public Service Commission, the Nuclear Regulatory Agency, or other state and local oversight entities. The power plants and local utilities and their employees work under rigorous standards to ensure that power is delivered safely and reliably. The weak spot regarding quality and safety is the final part of the electrons journey to your lights, appliances, and equipment.

Once power is passed through your meter at reduced voltage from distribution lines it still remains dangerous. It is crucial that a person who is not only competent and well trained can show proof to the consumer backing up that claim to install wiring in your house, farm buildings, business equipment, or this building. Currently, no such proof of competency is required. In fact, any one of us in this room could head over to the hardware store, buy tools and materials and start up our own electrical contracting business; perhaps putting the general public at risk. While this bill still protects the homeowner to weigh the risks wiring his own residence, it rightfully determines that the person you've hired to perform electrical work be licensed as proof of competency.

Caveat Emptor, as a free market slogan, does little good for children burned as a result of an electrical fire in their home. Again, as a labor organization that prides itself in the generation, transmission, and distribution of electric power, we call on the legislature to complete the pathway of safety for the citizens of Wisconsin by passing companion bills AB294 & SB167.

sl/opeiulocal 9



Wisconsin Electrical Trades Council

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414-276-8788 • fax: 414-276-7704 • www.wielectrictrades.com

Senator Jeffery Plale
Chairman; Commerce, Utilities and Rail
Room 313 South
State Capitol
P. O. Box 7882
Madison, WI 53707-7882

Re: SB167 Electrical Licensing

Senator Plale,

On behalf of the Wisconsin Electrical Trades Council, Inc. (WETC) I would like to urge passage of Senate Bill 167 to require licensing electricians and inspection of electrical installations. This legislation is long overdue. At our annual meeting this last February in Eau Claire, WI the membership of the WETC adopted a motion to encourage passage of this legislation.

The WETC is an organization that has been in existence for 50 years, and is dedicated to educating our members in the practice of safe and efficient electrical installations. Our membership is statewide, with the bulk residing in rural areas. We currently have about 90 members including electrical contractors and inspectors.

While it might seem to some, that safe and efficient electrical wiring is only a metropolitan issue, I can assure you that our members report many incidents of poorly installed electrical wiring in the rural areas of Wisconsin. Defective and poorly installed electrical wiring results in the loss of life and property each year. Passage of SB167 will set the bar for what is an acceptable electrical "Quality Installation" done by "Qualified Professional" for the entire state and provide for the increased safety of the citizens.

Sincerely Yours

David Helgeson
Secretary Treasurer
Wisconsin Electrical Trades Council, Inc.



**Senate Committee on Commerce, Utilities and Rail
Testimony on Senate Bill 167 (Electrical Licensing)
September 27, 2007**

Wisconsin Chapter

Mr. Chairman and members of the committee, my name is John Mielke and I am the Vice President of Associated Builders and Contractors of Wisconsin (ABC).

We are a statewide trade association of over 800 construction and construction related firms. More than 150 of those companies are electrical contractors.

I am here today to express our support for Senate Bill 167 and for Senate Amendment 1.

Our support of this bill is the result of an evolution in our position, a collaborative process, and of compromise.

The issue of electrical licensing is not new in Wisconsin. There have been many failed attempts over several legislative sessions.

Historically, ABC of Wisconsin has supported contractor licensing and increased inspection of electrical construction while we opposed mandatory statewide credentialing of field level electricians.

In January of 2006 ABC of Wisconsin formed a Special Subcommittee on Electrical Licensing to advise the association. The subcommittee felt that, under the right circumstances, mandatory field level credentialing could be part of an over licensing scheme in the electrical industry.

In our opinion, this bill represents "the right circumstances" and we encourage you to enact into law.

The bill is not perfect from our perspective, but that is the nature of a compromise. However, the bill will vastly improve the nature of electrical construction in Wisconsin. Simply put, we did not want perfect to become the enemy of good.

This bill requires electrical contractors to be licensed and to have a competent professional responsible for their work. It requires increased inspection of electrical construction providing for consumer protection.

Senate Bill 167 requires electricians to be trained and to provide evidence of that training. It makes accommodations for utility companies, manufacturers, and others not directly engaged in the business of electrical construction, and it provides a clear path for those who wish to enter the trade either as electricians or electrical contractors.

The process was not easy and at times even contentious. But I want to thank the bills authors for keeping everyone at the table to ultimately produce the bill that is before you now.

I would like to thank my industry partners for their collaborative approach and I would like to especially thank the members of the ABC Subcommittee who helped the association resolve this difficult issue on behalf of our members.

I would be happy to answer any questions you may have.

Testimony
of
National Systems Contractors Association

Presented to
Wisconsin Senate Committee on
Commerce, Utilities and Rail

Jeffrey Plale, Chair
Senate Bill 167

September 27, 2007

Chairman Plale and Members of the Committee,

The National Systems Contractors Association (NSCA) appreciates the opportunity to provide written testimony regarding Senate Bill 167. As you know, this bill addresses regulations of electrical wiring and statewide licensure of electricians, electrical contractors, and electrical inspectors.

NSCA is the leading not-for-profit association representing the commercial electronic systems industry. With more than 2,500 member companies worldwide (30 of which are based in Wisconsin), NSCA is a powerful advocate of all who work within the low-voltage industry, including systems contractors/integrators, product manufacturers, consultants, sales representatives, architects, specifying engineers and other allied professionals. NSCA is dedicated to serving members through education, advocacy, research, and member services.

As it is currently written, Senate Bill 167 would establish a state wiring code for the installation, repair, and maintenance of electrical wiring, regardless of the type of building. This legislation also changes licensing requirements to become statewide rather than controlled by municipalities. The new requirements would exempt, according to the bill, "A person engaged in installing, repairing, or maintaining equipment or systems that operate at 50 volts or less."

However, even given this exemption, the legislation would negatively affect many NSCA members. The fine line between electricians and those certified in electronic systems could result in unnecessary requirements and training for systems integrators. NSCA supports licensing individuals only in cases where the license is specific to the type of work and where workers are not forced to carry a license for work they cannot do.

Amendment 1, offered by Senator Russell Decker, increases the level of voltage from 50 volts to 100 volts. This proposed change allows only those working in the low-voltage industry — including installers for audiovisual, fire/life safety, data, video, and home theater, among others — to maintain their specialized training and certification, thus ensuring properly integrated and installed systems. Without changing the voltage requirements, this would have a negative impact to the customers, employers and employees within the electronic systems industry.

Today we ask the Committee to adopt Amendment 1 to ensure those working in the commercial electronic systems industry continue to have the ability to provide professional services.

Thank you for time. NSCA looks forward to working with the Committee on Senate Bill 167.

Capital Lock, Inc.

Locksmithing • Commercial • Residential • Auto • Safes • Fire Files • Consulting • 24 Hour Emergency Service

May 14, 2007

State Senator John Erpenbach
Room 8 South State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Erpenbach:

I recently became aware of SB167 relating to the licensing of electrical contractors and various types of electricians. As a constituent of yours, and since you are a sponsor of this legislation, I am writing to you with my concerns.

As a business owner with twenty-five years experience in the electronic security and fire alarm business, I am concerned that this legislation will adversely affect me, my employees, my peers and our customers. My concern is that this bill might result in my industry being regulated along with the electrical contracting industry.

I applaud the basic intent of this legislation and feel it is long overdue. However, the "high voltage" electrical contracting industry and the "low voltage" electronic security and life safety industries are very different and should not be guided by the same rules and regulations.

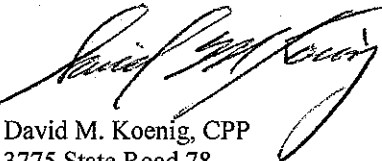
I understand that SB167 as originally drafted exempts persons who work with 50 volts or less, and persons engaged in installing, repairing or maintaining an electronic system designed to monitor a premises for the presence of an emergency. However, the exemptions do not appear to exempt an electronic security and life safety business from the licensure required under 101.862(1).

To clarify the separation between "high voltage" contractors and "low voltage" contractors, I would ask that you seek to add an amendment to SB167 that would exempt my industry and read as follows:

A person, or business engaged in design, installation, erection, repair, or alteration of Class I, II, or III remote control, signaling or power-limited circuits, electronic security circuits, audio or video circuits, low voltage fire alarm circuits, optical fiber cables or communication circuits, including raceways, as defined by the National Electrical Code.

Our industry is not adverse to the concept of licensing and regulation; however, to be included with the "high voltage" electrical contracting industry would do harm to our existing businesses and increase costs unnecessarily to consumers. I suspect that other low voltage industries might feel the same. I ask that you respond back to me with your thoughts and questions.

Regards,



David M. Koenig, CPP
3775 State Road 78
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Email: david.koenig@capitallock.com
Cell: 608-513-5625

Cc: Sen. Jeff Plale
Chair Committee on Commerce, Utilities and Rail

1302 Regent Street, Madison, Wisconsin 53715
P.O. Box 258156, Madison, Wisconsin 53725
(608)256-LOCK(5625) / Fax: (608)255-6977



To: Wisconsin Legislature

From: Bill Skewes, Executive Director
Wisconsin Utilities Association

Re: Support for SB 167/AB 294 as amended by SA 1

Date: September 27, 2007

On behalf of Wisconsin's investor-owned gas and electric utilities the Wisconsin Utilities Association (WUA) wishes to thank Rep. Al Ott and Senator Russ Decker, the authors of SB 167 and its companion bill, AB 294, for offering this important legislation.

WUA especially appreciates the efforts the authors have made to find consensus among the numerous stakeholders and accommodate the needs of the utility industry to ensure that their ability to provide safe, reliable and affordable electric service is not compromised.

As you may know, this bill creates a statewide system of licensure for electricians. WUA supports this bill because the lack of uniform standards and licensure under current law has resulted in a patchwork of regulation between jurisdictions and has allowed less-than qualified individuals to perform electrical work.

Substandard wiring can lead to degradation of the customer's side of the electric system and inadequate performance and safety standards in homes, farms and businesses. Requiring uniform licensure of all electricians will help ensure that quality electrical work is being performed thus increasing customer safety and electrical system performance.

Therefore, please take executive action on this important legislation and support passage of AB 294 and SB 167 when they come to the floor for a vote.



September 26, 2007

Testimony of Jeff Graf (Technical Services Manager, AVI Midwest, LLC - Madison, WI) Regarding Wisconsin Senate Bill 167

Respectfully Submitted to the Wisconsin State Senate Committee on Commerce, Utilities and Rail (September 27, 2007)

On behalf of AVI Midwest LLC, with offices in Madison and New Berlin Wisconsin, as well as other offices throughout the Midwest and San Diego.

As introduced, Wisconsin Senate Bill 167 establishes 50 volts as the demarcation point at which a licensed electrical contractor and electricians must be utilized to install many Audio Visual systems that are currently installed by qualified low-voltage contractors in the Audio Visual industry. This will have a negative effect on many small businesses and their employees. We believe this will also cause the cost of doing business in Wisconsin to rise as a result of complicating the integration process.

The U.S. Department of Labor has recognized Electronic Systems Technicians as a separate and distinct profession. The U.S. Department of Labor's description lists the work of Electronic Systems Technicians at less than 100 volts.

Senate Amendment 1 raises the voltage level to 100 volts and therefore makes the appropriate distinction between the work of an Electronic Systems Technician and the work of an electrician. By raising the voltage level to 100 volts, Wisconsin Senate Bill 167 will allow Audio Visual integrators to continue in the practices that have proven to be successful for our industry and their employees.

Thank you for your time and consideration.

Respectfully,

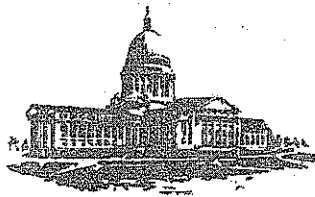
A handwritten signature in black ink, appearing to read "Jeff Graf", written over a horizontal line.

Jeff Graf
Technical Services Manager
AVI Midwest, LLC
Madison, WI 53718
608.221.8888

Your Professional Audio & Video Systems Integrator



FOCUSED ON YOUR SUCCESS



A1 Ott

State Representative • 3rd Assembly District

October 23, 2007

Senator Jeff Plale
Chair, Senate Committee on Commerce, Utilities & Rail
Room 313 South
State Capitol
(Hand Delivered)

Dear Senator Plale,

Thank you for scheduling an executive session on Senate Bill 167, which would require electricians and electrical contractors to be licensed by the State of Wisconsin.

As the committee prepares to meet and take action on this bill, I would request the committee's favorable consideration of Senate Amendment 1 and Senate Amendment 3. I would further request that the committee not approve Senate Amendment 2.

Amendments 1 and 3 make various technical changes to the bill to address concerns raised after the bill was introduced. They reflect consensus reached by the stakeholders involved in developing this legislation.

Amendment 2 was introduced inadvertently, and the issue it was intended to resolve is better addressed by Senate Amendment 3.

Please feel free to contact me with any questions or concerns. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Al Ott".

Al Ott
State Representative
3rd Assembly District

cc: Members, Senate Committee on Commerce, Utilities & Rail